

Remarks

This Amendment is submitted in response to the office action mailed October 8, 2008, in connection with the above-identified application (hereinafter, the "Office Action"). The Office Action provided a three-month shortened statutory period in which to respond, ending on January 8, 2009. Submitted herewith is a Petition for a Two-Month Extension of Time extending the due date to March 8, 2009. Accordingly, this Amendment is timely submitted.

Claims 1 through 18 are currently pending.

Claims 1-12 were rejected under 35 U.S.C. §103 as being obvious over Armstrong et al., Anal.Chem. 1999, 71: 3873-3876 ("Armstrong") in view of JP-421602; Nagi Yumi, Science Links Japan: Analysis of Residual solvents in pharmaceuticals by headspace gas chromatography, Shimadzu review (2002); Kumar et al., J. of Chromatography A, 1999, 859: 113-118; and Russo, Chromatographia (December 1999), 39 (11/12).

Claims 1-18 were rejected under 35 U.S.C. §112. The Examiner asserted that Claims 1-18 were rejected under 35 U.S.C. §112, first paragraph since the description did not sufficiently enable the step of "volatilizing the volatile components of the sample" in sample preparation. The Examiner further asserted that Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph since Claims 1-18 were not directed to specific ionic liquids.

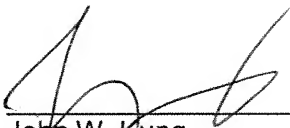
Applicants express gratitude for the Examiner's notification that Claims 13-18 are allowable if rewritten to include all limitations of the base claim and intervening claims and to be directed to "a method of performing headspace gas chromatography". As suggested by the Examiner, Applicants have cancelled dependent claims 13-16 and rewritten these dependent claims as new Claim 24. Claim 24 clarifies that the present invention is directed to a method of performing headspace gas chromatography using ionic liquids as solvents in sample preparation and includes all limitations of Claims 1, 12, and 13-16. Further, Applicants have amended Claim 17 (and Claim 18 by dependency) to include all limitations of Claim 1 and to be directed to "a method of performing headspace gas chromatography". Applicants respectfully submit that the foregoing amendments are supported by the original specification and claims and thus do not introduce any new matter.

While respectfully disagreeing with the Examiner's rejection of Claims 1-12 under 35 U.S.C. §103 and 35 U.S.C. §112, Applicants wish to cancel Claims 1-12 without prejudice to expedite the examination of original Claims 13-18 (now Claims 17-18 and 24) for allowance. Applicants do not concede that Claims 1-12 do not comply with patentability requirements under 35 U.S.C. §103 and 35 U.S.C. §112, and Applicants will pursue the invention of Claims 1-12 in a continuation application. In view of the foregoing amendment, Applicants respectfully request that the Examiner's 35 U.S.C. §103 and 35 U.S.C. §112 rejections be withdrawn.

Applicants request the consideration of Claims 17, 18 and 24 of the present application for allowance. If a telephone interview would be of assistance in advancing the prosecution of this application, Applicants' undersigned attorney invites the Examiner to telephone him at the telephone number provided below.

Respectfully submitted,

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